

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action. Favorable reconsideration of the application is respectfully requested in view of the comments and amendments made herein.

Claims 1-3, 5, 15, 17-19, 23-25, 29, 31, 40, 41, 43, and 57 were rejected under 35 U.S.C. 102(b) as being anticipated by Core (U.S. Patent No. 3,195,256). Traversal of this rejection is made for at least the following reasons. With respect to independent claims 1, 15, and 40, Core fails to disclose a mounting assembly having a spring that facilitates a wobble movement of a mounting plate and image assembly in a clockwise and counterclockwise manner. The Examiner relies on outer surface 20 as being equivalent to the claimed mounting plate. However, it is clear from Core that the outer surface 20 is not configured to wobble in a clockwise and counterclockwise manner. In fact, Core discloses glass engaging arms 30, 31, 33, and 34, which are configured to prevent any movement of the outer surface 20 in a clockwise and counterclockwise manner, as clearly seen in Figs. 1 and 2 of Core. Further, the spring 66 of Core is merely used to bias a picture 15 against a glass pane 11.

With respect to claim 2, the Examiner is relying on washer 69 as being equivalent to the claimed second mounting plate. A washer cannot be considered equivalent to a mounting plate. A washer is a flat plate used to distribute pressure under the head of wing nut 70. It is not mounted or configured to be mounted to anything.

With respect to claim 3, the Examiner does not point to any element or structure in Core which corresponds to the claimed spring mount. There is no spring mount disclosed in Core. Further, the spring 66 of Core is not mounted to the outer surface 20, as relied on by the Examiner as being equivalent to the claimed mounting plate.

With respect to claims 15 and 17-19, Core does not disclose a doll having a body. The Examiner relies on a central opening 43 in an annular ring 41 of Core as being equivalent to the claimed body. Applicants are confused as to how an opening in a ring is equivalent to a doll body. Further, Core is directed to a picture frame. There is nothing in Core that discloses a doll or a body of a doll. With specific regards to claims 18 and 19, there is nothing in Core that discloses a base for supporting a doll body. The Examiner relies on an angularly disposed portion 48 of a lower glass-engaging arm as being equivalent to the claimed base. However the

angularly disposed portion 48 does not support the central opening 43. Clarification of this rejection is respectfully requested.

Claims 23-25, 29, and 31 are directed to a kit for creating wobble objects. Core merely discloses a picture frame for mounting pictures. Even if all the components of Core were sold separately as a kit, Core still fails to disclose each of the elements of the kit.

With specific reference to claim 23, Core fails to disclose paper for printing a desired image. Core also fails to disclose a mounting assembly to secure to a back side of an image, wherein the mounting assembly includes at least one mounting plate and at least one spring secured to the mounting plate. As stated above, the Examiner relies on spring 66 of Core as being equivalent to the claimed spring. It is unclear to which element(s) of Core, the Examiner is relying upon as being equivalent to the claimed mounting assembly. The Examiner has pointed to outer surface 20 and to washer 69 as being equivalent to mounting plates. Neither of these components are secured to the picture 15 or to the spring 66. The Examiner does not expressly rely on picture 15 of Core as being equivalent to the claimed image; however the Examiner claims "the image is a photograph". Thus, Applicants contend that the Examiner must be referring to picture 15.

With reference to claim 24, Core fails to disclose a body or background for securing the mounting assembly and image thereto. In Core, the picture 15 is not secured to any portion of the frame. Instead, the picture 15 is inserted into a portion of the frame and the spring is released to bias the picture against the glass pane. Assuming that the Examiner is relying on one of the outer surface 20 and washer 69 as being equivalent to the claimed mounting assembly, it is submitted that neither of these elements are secured to central opening 43, upon which the Examiner relies as being equivalent to the claimed body.

The arguments above with respect to claims 18 and 19 apply to claim 25.

Regarding claim 31, the ends of spring 66 of Core are not disclosed or shown with sufficient detail to determine whether they are substantially flat. Thus, one skilled in the art would assume that spring 66 is a standard spring in which the wire is round throughout the entire length of the spring.

Regarding claims 41 and 43, Core does not disclose a background image, let alone a background image being an advertisement or a reminder/wipe board. If it is argued that the picture 15 can be a background image, Core fails to disclose that another image is coupled to the background image via a spring.

As set forth in MPEP Section 2131, a claim is *only* anticipated if *each and every element as set forth in the claim* is found, either expressly or inherently described, in a single prior art reference. Because Core does not disclose each and every element of the pending claims, Core cannot anticipate such claims. Withdrawal of this rejection is respectfully requested.

Claims 4, 16, 22, 32, 42, 52, 53, 55, and 56 were rejected under 35 U.S.C. 103(a) as being unpatentable over Core. Traversal of this rejection is made for at least the following reasons. Claims 4, 16, 22, 32, 42, 52, 53, 55, and 56 each depend from one of claims 1, 15, 23, and 40, which are believed to be allowable over Core for at least the reasons discussed above. It is noted that in the rejection to claim 4, the Examiner relies on side edge 26 and lower glass-engaging arm 34 of Core as being equivalent to the claimed spring and mounting plate, respectively. Applicants assume that these are typographical errors and that the intention was to rely on the same elements 66 and 20, as used in the 102(b) rejection to Core. With respect to claim 4, the Examiner contends that it would have been a matter of design choice to use epoxy resin for mounting the spring to the mounting plate. However, the spring 66 of Core is not mounted to outer surface 20. To do so would render the invention unsuitable for its intended purpose, as the picture frame is configured to allow a picture 15 to be inserted between the spring and the mounting plate.

Regarding claims 53, 55, and 56, the Examiner contends that it would have been a matter of design choice to provide the mounting plate and photograph of Core with a removable adhesive material. Applicants strongly disagree. While it may be true that a removable plastic film layer is known, to Applicants knowledge, such layers are not used with respect to a picture frame, such as that shown and described in Core. Applicants request that the Examiner provide documentary evidence to support the position that a removable plastic film layer is well known with respect to use on picture frames.

Claims 10, 45, and 58 were rejected under 35 U.S.C. 103(a) as being unpatentable over Core in view of Kubo et al. (US Patent No. 6,394,874). Traversal of this rejection is made for at least the following reasons. Each of claims 10, 45, and 58 depend from one of independent claims 1, 15, and 40, which are believed to be allowable over Core, as discussed above. Kubo et al. does not make up for the aforementioned deficiencies of Core. Further, one skilled in the art would not have been motivated by the finger puppets disclosed in Kubo et al. to modify the picture frame of Core. As stated in MPEP Section 2143.01, “the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also

suggests the desirability of the combination. (citations omitted) (emphasis in original). For at least these reasons, the combination of Core and Kubo et al. fails to render claims 10, 45, and 58 obvious. Withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 35502US1.

Respectfully submitted,
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